

Message Text

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PAGE 01 STATE 210808
ORIGIN L-03

INFO OCT-01 EUR-12 IO-13 ISO-00 EB-08 AF-10 ARA-10
EA-10 NEA-10 CIAE-00 INR-10 NSAE-00 SS-15 NSCE-00
OMB-01 TRSE-00 INRE-00 PA-01 ICAE-00 SSO-00 /104 R

DRAFTED BY L/EB:KSGUDGEON:SIS
APPROVED BY L:SMSCHWEBEL
L/UNA:SRBOND
EB/IFD/OIA:RDKAUZLARICH
IO/IEP:JDCASWELL

-----044910 182201Z /62

O R 182121Z AUG 78
FM SECSTATE WASHDC
TO AMEMBASSY VIENNA IMMEDIATE
INFO USMISSION USUN NEW YORK
AMEMBASSY LONDON
AMEMBASSY BONN
AMEMBASSY BERN

C O N F I D E N T I A L STATE 210808

E.O. 11652: N/A

TAGS: UN, PFOR

SUBJECT: UN CONFERENCE ON SUCCESSION OF STATES: ARTICLE
12 BIS (PERMANENT SOVEREIGNTY)

REF: VIENNA 7397 (NOTAL)

1. AS USDEL APPRECIATES, DEPARTMENT FINDS FORMULA PARA 1
REFTTEL HIGHLY PREJUDICIAL TO WEO POSITIONS ON NIEO, CERDS,
AND IN OTHER INVESTMENT-RELATED CONTEXTS (E.G., CODE OF
CONDUCT; INDIVIDUAL EXPROPRIATION CASES). INTERPRETATION
BASED ON UNGA RES. 1803, WHICH G-77 DISPARAGE, IS INSUF-
FICIENT PROTECTION; MOREOVER, WE CANNOT SERIOUSLY EXPECT
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REFERENCES TO OTHER PERMANENT SOVEREIGNTY RESOLUTIONS TO BE
EXCLUDED. DEPARTMENT WONDERS WHETHER SUPPORT OF SWISS, UK
AND FRG DELS FOR THIS FORMULA HAS RESPECTIVE MFA CLEARANCES;
US DEL SHOULD URGE THESE DELS TO RAISE ISSUE URGENTLY WITH
THEIR MFA INVESTMENT EXPERTS AND SEEK GUIDANCE.

2. US DEL SHOULD MAKE EVERY EFFORT TO AMEND RECOMMENDA-

TION OF INFORMAL CONSULTATION GROUP, TO INCLUDE WORDING "IN ACCORDANCE WITH INTERNATIONAL LAW", OR, ALTERNATIVELY, TO READ "NOTHING IN THE PRESENT CONVENTION SHALL AFFECT THE PERMANENT SOVEREIGNTY OF EVERY PEOPLE AND STATE OVER ITS NATURAL WEALTH AND RESOURCES AND THE RELEVANT RIGHTS AND OBLIGATIONS OF STATES UNDER INTERNATIONAL LAW AND OTHER TREATIES". SAVINGS CLAUSE OF OBLIGATIONS UNDER INTERNATIONAL LAW MIGHT ALSO BE HANDLED IN SEPARATE, COEQUAL ARTICLE.

3. IF ISOLATED ON THIS POINT, US DEL SHOULD PLAN TO INSIST ON ROLL CALL VOTE ON THIS ARTICLE, AND TO VOTE AGAINST IT. US DEL SHOULD ENSURE THAT STATEMENT IN EXPLANATION OF VOTE IS RECORDED IN SUMMARY MINUTES. VANCE

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01 jan 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: SOVEREIGNTY, SECESSION, PRESS CONFERENCES
Control Number: n/a
Copy: SINGLE
Draft Date: 18 aug 1978
Decaption Date: 01 jan 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 20 Mar 2014
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1978STATE210808
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Document Unique ID: 00
Drafter: KSGUDGEON:SIS
Enclosure: n/a
Executive Order: GS
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Expiration:
Film Number: D780338-1219
Format: TEL
From: STATE
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1978/newtext/t19780847/aaaabmtt.tel
Line Count: 76
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Litigation Codes:
Litigation History:
Locator: TEXT ON-LINE, ON MICROFILM
Message ID: c84ce360-c288-dd11-92da-001cc4696bcc
Office: ORIGIN L
Original Classification: CONFIDENTIAL
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
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Previous Handling Restrictions: n/a
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Retention: 0
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Review Release Event: n/a
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Review Withdrawn Fields: n/a
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Secure: OPEN
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Review Markings:
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